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RUEHGZ/AMCONSUL GUANGZHOU 9115  
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RUEHHK/AMCONSUL HONG KONG 6104  
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RUEATRS/DEPT OF TREASURY WASHINGTON DC  
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FOR G/TIP, EAP/RSP

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SUBJECT: TAIWAN'S INITIATIVES TO ADDRESS LABOR TRAFFICKING

REF: TAIPEI 0787

¶1. Summary: AIT, G/TIP, and EAP/RSP visitors met with officials at the Council of Labor Affairs (CLA) on 13 March to discuss labor trafficking, government initiatives to address TIP, and complaints raised by local NGOs (reftel). The CLA told AIT that it will increase labor broker standards, give workers more freedom to change employers, and develop a program to include domestic workers under the Labor Standards Law (LSW). The Executive Yuan (EY) at the beginning of the year also directed each ministry associated with TIP to address trafficking and adopt polices to combat it. End summary.

¶2. Taiwan is working to ensure all foreign workers are covered by the LSW, which guarantees certain rights such as minimum wage, health care, and time off. The CLA's Deputy Chief for Employment, Lin San-quei, told AIT that most of the 327,000 foreign workers in Taiwan are covered by the LSW. Only domestic workers and caretakers, he noted, are exempt from the LSW. Lin told AIT that the CLA is developing a plan to either cover domestic workers under the LSW or to create a separate law for domestic workers that offers the same protections as the LSW.

¶3. The CLA is also raising labor broker standards and inspection procedures. The CLA's Lin told AIT that in order to protect workers from broker abuses, the CLA will increase the number of broker inspectors from 110 to 240 by the end of 2006. Previously, the CLA reviewed broker standards every two years and placed them into five categories based on quality ranging from A to E, with A being the highest and E the lowest. This year the broker categories will be reduced to three (A to C), and brokers previously ranked in the D or E categories will now have to improve their standards or lose their license to import workers.

¶4. Taiwan authorities are also working to give foreign workers more flexibility in changing employers. In the past, Lin explained, if a company went bankrupt or had to break a worker's contact, only employers could opt to hire the worker, who had no choice in the matter. Under new guidelines, the CLA will allow workers to have an equal say

in choosing a new employer. The CLA will also increase the number of consulting centers, which offer assistance in changing jobs and support to foreign workers, from 24 to 60 by the end of the year.

¶5. Taiwan is also establishing additional mechanisms to address TIP protection. CLA officials told AIT and Washington visitors that the EY in January directed all ministries handling trafficking issues to develop new policies to combat TIP. Brokers will be required to provide workers with translations of their contracts in their native language to avoid misunderstandings regarding salary and broker fees, as well as contract fraud. In addition, new policies will be adopted to allow workers to stay in Taiwan and continue working if they are involved in a protracted legal case against a broker. If the case can be solved quickly, the CLA will refer workers to shelters for care if needed until they leave Taiwan.

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